IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 2112 OF 2006

THE UNION OF INDIA ..APPELLANT

V/S

SMT. ARCHANA ANANT SAWANT

& ORS. ..RESPONDENTS

MR. S.K. SHINDE I/BY R.S. DESAI FOR APPELLANT.

MR. M.S. RAJE I/BY P.P. KAKADE FOR RESP. NO.1.

CORAM : S.K. SHAH, J.

DATE : 16TH APRIL,2007.

P.C.

1. Heard counsel on both sides. The only point which is urged in support of the Appeal is that it is not proved that the deceased person was travelling with ticket. In this regard there is evidence of co-employee of the deceased that the employer had given to the deceased money for purchasing ticket and there is employer's evidence that the season ticket was purchased and he has specifically deposed that the deceased has purchased the season ticket. Now this indicates that the deceased did purchase the season ticket on the day of the travel. Learned Members of the Tribunal have also mentioned in the judgment that there is possibility

of season ticket having been lost in the accident which had took place in which the deceased expired. This fact cannot be ruled out. The said facts have properly dealt with by the Tribunal and there is no legality in the impugned order. As such I do not find any merit in the Appeal. The Appeal is therefore dismissed.

(S.K. SHAH, J.)